

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	Cr. No. 16-2376 WJ
	)	
vs.	)	
	)	
<b>TOM BEGAYE JR.,</b>	)	
	)	
Defendant.	)	

**ORDER DECLARING CASE COMPLEX**

This matter having come before the Court on the motion of the United States, concurred in and unopposed by the defendant, to designate the above-captioned matter a complex case, and the Court being fully advised in the premises, finds the motion is well taken.

This Honorable Court specifically finds that:

(1) The charges currently pending against the defendant are serious, divergent, and may engage a sophisticated evaluation process;

(2) It is apparent that the discovery related to this case is considerable and ongoing. As such, the defendant in turn will need both an adequate and a reasonable time to assess this discovery regarding its application to the charges and to the defendants. This Court deems this process necessary and appropriate.

(3) Counsel for the Plaintiff and counsel for the defendant will have the opportunity to review and discuss the case periodically in the time period provided by this complex case designation.

(4) Provision for time for adequate preparation is a clearly permissible reason

for granting a continuance and tolling the Speedy Trial Act, *United States v. Spring*, 80 F.3d 1450 (10th Cir. 1996).

(5) The currently scheduled dates for discovery, motions, trial-jury selection and all other associated pre-trial matters are hereby vacated and superceded by a scheduling order to be filed by the Court;

(6) The nature and circumstances of the above-captioned matter make it impracticable

to set the matter for trial on August 1, 2016. *See Spring supra*.

THEREFORE, IT IS HEREBY ORDERED that the above-captioned matter and any subsequent iterations of this matter by way of superseding indictments, is declared a complex case pursuant to 18 U.S.C. § 3161(h)(8)(A) and 18 U.S.C. § 3161(h)(8)(B)(ii) and as such is not subject to the time limits as established by the Speedy Trial Act, 18 U.S.C. § 3161(a) and (c)(1)(2) for purposes of either pre-trial preparation or for resolution of the above-captioned matter either by trial on the merits or otherwise.

A handwritten signature in black ink, appearing to read 'William P. Johnson', written over a horizontal line.

WILLIAM P. JOHNSON  
UNITED STATES DISTRICT JUDGE